

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DENNIS GRIMES,

Petitioner,

v.

DONALD BARROW,

Respondent.

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CASE NO. 5:10-CV-386(MTT)

ORDER

This matter is before the Court on the Recommendation (Doc. 16) of United States Magistrate Judge Charles H. Weigle. The Magistrate Judge recommends granting the Respondent's Motion to Dismiss (Doc. 10) and dismissing the Petitioner's petition for writ of habeas corpus with prejudice. Also, the Magistrate Judge recommends denying any certificate of appealability. The Petitioner did not file an objection to the Recommendation.

The Court has reviewed the Recommendation, and the Recommendation is adopted and made the order of this Court. The Respondent's Motion to Dismiss is **GRANTED**, and the Petitioner's petition for writ of habeas corpus is **dismissed with prejudice**. Any certificate of appealability filed by the Petitioner is **DENIED**.

SO ORDERED, this 26th day of April, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT